

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

THERRY RUGAMBOA,

Plaintiff,

Case No. 1:07-CV-208

v

Hon. Gordon J. Quist

INNOCENT RUNGENGA, et al,

Defendants.

/

**ORDER COMPELLING PRODUCTION**

Pending before the court is defendants' motion for an order to compel discovery (docket no. 59). Defendants have sought and not received interrogatories and requests to produce documents served on April 4, 2007. Defendants also submitted another request to produce on May 9, 2007, which remains unanswered. Defendants have also been unable to obtain deposition dates for plaintiff and plaintiff's mother.

The motion is unopposed. Accordingly, the motion will be GRANTED as follows:

1. Plaintiff shall provide responses to all outstanding discovery requests, including requests to schedule depositions, within 7 days of the date of this order;
2. Plaintiff shall pay defendants' reasonable expenses, including attorney's fees, in obtaining this order. FRCP 37(a)(4)(A). If the parties cannot agree upon an appropriate amount within 7 days of the date of this order, defendants shall, within 14 days of the date of this order, file and serve upon plaintiff an affidavit and any supporting documents setting forth the amount defendants believe is justified as expenses and attorney's fees. Plaintiff shall have 7 days after the

receipt of this order to file and serve an appropriate response. Thereafter the court will decide the matter based on the papers submitted by the parties. If the court finds a hearing on this issue is necessary, a scheduling order will issue.

The motion hearing scheduled for August 8, 2007 at 10:00 a.m. is CANCELLED.

IT IS SO ORDERED.

Dated: August 6, 2007

/s/ Hugh W. Brenneman, Jr.  
HUGH W. BRENNEMAN, JR.  
United States Magistrate Judge